

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff,

Civ. Case No. 12-2039 (GAG)

Vs.

COMMONWEALTH OF PUERTO RICO  
and the PUERTO RICO POLICE BUREAU,

Defendants

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**MOTION IN COMPLIANCE WITH TRANSITION ORDER**

**TO THE HONORABLE COURT:**

**COME NOW**, Defendants, through their undersigned attorneys, and very respectfully allege and pray as follows:

1. On November 18, 2020, this Honorable Court entered a Transition Order requesting the Defendants of caption to comply with several requirements deemed appropriate by the Court to advance the end state of the Agreement for Sustainable Reformed subscribed by the parties in the case of caption. *See*, Docket No. 1614.
2. As per the Transition Order, the Defendants were required to advise the Court, the Office of the Federal Monitor, and the United States Department of Justice (US DoJ), by December 15, 2020, about the status of the subjects listed below:
  - i) The Existing personnel and contractors of Department of Public Safety (DPS) and the Puerto Rico Police Bureau (PRPB) designated as essential to the successful implementation of, and compliance with, the Agreement for Sustainable Reform and subsequent Orders being monitored, including personnel and contractors from the PRPB Office of Reform, Technology

Bureau, and the Education & Training Auxiliary Superintendency (SAEA), in accordance with Paragraph 233 of the Agreement;

ii) The steps that the defendants have taken or would take to retain the essential personnel and contractors noted above in their current positions through June 30, 2021.

iii) Production of all information requested by the Monitor in connection with the Third Court Monitoring Report; and,

iv) Retain the services of a qualified interpreter to assist DPS and PRPB personnel in any matter relevant to the Agreement, methodologies agreed by the parties, documents, contracts or other initiatives that would advance the interests of the Agreement and reduce administrative costs.

4. On December 16, 2020, the Defendants requested the Court an extension of time to produce, on or before December 18, 2020, the information requested in the Transition Order. *See*, Docket No. 1648. On this date, the Court entered an Order granting defendants' request for extension of time. *See*, Docket No. 1651.

5. Set forth below is a description of the actions undertaken by the PRPB and the DPS to comply with the Transition Order.

I. Existing personnel and contractors of the DPS and the PRPB designated as essential assigned to the PRPB Reform Office, Technology Bureau, and the Education & Training Auxiliary Superintendency (SAEA)

6. The DPS has diligently considered and approved, on behalf of the PRPB, several contract extension requests for services to be performed by government contractors at the PRPB Office of Reform, the Technology Bureau, and the SAEA. Attached herewith is an itemized table depicting the names, titles/duty description, and employment/contractual status of personnel assigned to the PRPB Office of Reform. *See*, Exhibit 1. A total of 53 individuals are either

career civil service employees or law enforcement members of the PRPB. Three government contractors further augment the PRPB Office of Reform.

7. Two government contractors, namely José Hernández and José C. Vázquez-Rivera, currently provide services to the PRPB pursuant to two contract awards subscribed by the Commonwealth of Puerto Rico. Although the contracts awarded to these two contractors are set to elapse on December 31st, 2020, the PRPB and the DPS have favorably recommended to the Chief of Staff (COS), Office of the Governor of Puerto Rico, the two contracts be extended until June 30, 2021. *See*, Exhibit 2. If the COS further authorizes the referenced contract extensions, the contract awards would then be submitted to the Office of Management and Budget, Commonwealth of Puerto Rico (PR OMB), for the requisition of funds to pay for the continued services to be rendered by these two government contractors. With respect to the third contractor, Ms. Eily Molina Batista, the contract previously awarded by the PRPB will remain in full force and effect through June 30, 2021.

8. Similarly, the PRPB considers 173 career civil service employees and members of the PRPB to be essential personnel. This dedicated group of employees/members of the PRPB will continue to sustain the PRPB reform effort at the SAEA through June 30, 2021. *See*, Exhibit 3.

9. Further, listed below are the names of existing government contractors and the offices to which they will continue to be assigned to provide support to either the PRPB Office of Reform, the Technology Bureau, the SAEA, or the SARP (In Spanish known as “Superintendencia Auxiliar de Responsabilidad Profesional” or in English known as “Auxiliary Supertintendency for Professional Responsibility”). Again, the PRPB and DPS have recommended to the Office of the Governor of Puerto Rico, the contracts be extended until June 30, 2021.

PC No. 20201207038 Orlando Rodríguez Pagán, SAEA  
PC No. 20201207037 Maribel Vidal Valdés, SAEA  
PC No. 20201207036 Magali Díaz Figueroa, SAEA  
PC No. 20201207034 Lilliam Pabón Nieves, SAEA  
PC No. 20201207033 Jovaika de Lourdes Tirado Cruz, SAEA  
PC No. 20201207032 José C. Vázquez Rivera, Office of Reform  
PC No. 20201207031 José A. Hernández, Office of Reform  
PC No. 20201207030 Janet Medina Cruz, SAEA  
PC No. 20201207026 Hilda Torres Pérez, SAEA  
PC No. 20201207024 Edwin Ramos Rivera, SAEA  
PC No. 20201207022 Claudi Landor Concepción, SAEA  
PC No. 20201207021 Angel G. Díaz Camarero, Technology Bureau  
PC No. 20201207017 Albis C. Rivera Medero, SAEA  
PC No. 20201207016 Alberto Pérez Centeno, Technology Bureau  
PC No. 20201022030 Ernesto Fernández , Office of Reform  
PC No. 20201016015 Esthermarie Torres López, Office of Reform  
PC No. 20201208063 Betmar López Pagán, SARP

10. The DPS, on the other hand, considers the contract previously awarded to the firm of Cancio, Nadal & Rivera, LLC, (CN&R) to be the only essential contract to be awarded in support of the Agreement for Sustainable Reform. Today, the DPS advised it would be issuing shortly a letter to the COS, Office of the Governor of Puerto Rico, recommending the legal services contract awarded to CN&R, and which is set to elapse on December 31, 2020, to be enlarged until June 30, 2021. If approved by the Office of the Governor, a request for the requisition of funds will be submitted to the PR OMB. In the meantime, it is worth noting the DPS has been diligently conferring with the PR OMB regarding the specific requirements (i.e., Statement for Certification of Funds) to be followed to expeditiously approve the requisition of public funds in connection with the extension of the services contract for the provision of legal

services to be awarded to CN&R consistent with applicable statutory and regulatory requirements.

II. The steps that the defendants have taken or would take to retain the essential personnel and contractors noted above in their current positions through June 30, 2021

11. See information provided in the section immediately above.

III. Production of all information requested by the Monitor in connection with the Third Court Monitoring Report

12. The PRPB is pleased to inform this Honorable Court that it has produced to the Federal Monitor all information requested in connection with the Third Court Monitoring Report.

IV. Retention of the services of a qualified interpreter to assist DPS and PRPB personnel in any matter relevant to the Agreement, methodologies agreed by the parties, documents, contracts or other initiatives that would advance the interests of the Agreement and reduce administrative costs

13. On this date the Defendants filed with the Court a Motion for Reconsideration of Court Orders in regard to the retention of the services of a qualified interpreter. The Defendants respectfully believe the retention of interpreter/translator services are unnecessary inasmuch as the Office of the Federal Monitor, the counsels for the US DoJ, the PRPB, and the counsels for PRPB have been providing accurate and effective translations in all group discussions, including teleconferences and video teleconferences relevant to the Agreement for Sustainable Reform, among other reasons. In the interest of time and brevity, the PRPB respectfully adopts herein the reasons previously expressed in the referenced Motion for Reconsideration.

**WHEREFORE**, the Defendants very respectfully request the Court to take notice of the above information.

In San Juan, Puerto Rico, this 17th day of December, 2020.

*s/Raúl E. Bandas*  
Raúl E. Bandas  
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*s/Carlos M. Rivera-Vicente*  
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#### CERTIFICATE OF SERVICE

I hereby certify that on this date I electronically filed the foregoing Motion Requesting Reconsideration of Order with the Clerk of the Court, using the CM/ECF System, which will send notification of such filing to all appearing parties and counsels using the Court's electronic system.

In San Juan, Puerto Rico, this 17th day of December 2020.

*s/Raúl E. Bandas*  
Raúl E. Bandas-del Pilar  
USDC-PR No. 207809  
Counsel for Defendants